

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
 ) Case No. 1:06-CR-140-005  
v. )  
 ) Chief Judge Curtis L. Collier  
CEDRIC VANCE, also known as "Ced," also )  
known as "Bighead" )

**O R D E R**

On May 21, 2007, United States Magistrate Judge William B. Mitchell Carter conducted a plea hearing in this case and filed a Report and Recommendation ("R&R"). The R&R recommends (1) the Court accept the defendant's guilty plea as to Count One of the Indictment, to the extent it charges the lesser included offenses of conspiracy to distribute five hundred (500) grams or more of a mixture and substance containing cocaine and one hundred (100) kilograms or more of a mixture and substance containing a detectable amount of marijuana in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(B); (2) the Court adjudicate the defendant guilty of the charges to which he has pleaded; (3) the Court accept the defendant's plea agreement at the time of sentencing; and (4) the defendant be taken into custody pending sentencing (Court File No. 201).

Neither party filed objections to the R&R within the given ten (10) days. However, on June 4, 2007, for medical reasons, Judge Carter ordered the defendant be released on a personal recognizance bond pending sentencing (Court File Nos. 213 & 214). Therefore, the Court **DOES NOT ACCEPT** the R&R's recommendation the defendant be taken into custody but **DOES ACCEPT** the defendant's conditions of release. Further, after reviewing the record, the Court **ACCEPTS** and **ADOPTS** the remainder of the R&R (Court File No. 201) pursuant to 28 U.S.C. §

636(b)(1), and **ORDERS** as follows:

(1) The defendant's guilty plea as to the lesser included offenses of Count One of the Indictment is **ACCEPTED**;

(2) The defendant is hereby **ADJUDGED** guilty of the charges to which he has pleaded;

(3) A decision to accept the plea agreement is **DEFERRED** until sentencing; and

(4) The defendant **SHALL REMAIN** on bond subject to the stated conditions (Court File No. 213) until sentencing. Sentencing is set for **Thursday, August 23, 2007, at 2:00 p.m.**

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**